

Probation Revocation

Probation Revocation may occur if your child violates the terms of his or her probation. **Probation can only be revoked by the court.** Your child's Juvenile Services Worker will prepare a report for the court detailing the violations of probation and request that your child's probation be revoked. This report will be submitted to the court. During the court hearing, individuals involved in the case may be called to testify. Those individuals may include:

- Juvenile Services Worker
- Parent or Guardian
- Victim
- School Officials
- Law Enforcement
- Other Involved Individuals

The court will make the final decision about whether or not to revoke your child's probation. If your child's probation is revoked, he or she may be committed to the Department of Juvenile Justice and may be removed from your care for a period of time in order to receive more structured treatment.

If detained, a placement decision will be made for your child within thirty-five (35) days from the date of his or her commitment. If there is not an order for detainment, your child will remain in the community pending placement.



Placement Options

The Department for Juvenile Justice will determine the appropriate placement for your child based on various assessment criteria. Possible placements for your child include:

- Home on supervised placement
- Therapeutic Foster Care
- Private Residential Child Care
- Mental Health Residential Program
- Group Home
- Youth Development Center
- Cadet Leadership Program



Kentucky Department of Juvenile Justice

Revocation Process



REVISED 01/21/2010

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This project was supported by Grant No. 2009-JB-FX-0060 awarded through the Kentucky Justice and Public Safety Cabinet by the U.S. Department of Justice, Office of Justice Programs.

Administrative Revocation

The administrative revocation process applies to committed youth who reside in the community and are on conditions of supervised placement.

Administrative Revocation may be initiated by your child's Juvenile Services Worker if your child violates his or her Supervised Placement Conditions. This process is conducted internally by the Department of Juvenile Justice. It consists of a hearing officer being assigned to hear the case and a defense attorney being assigned to represent the youth.

If a youth presents safety concerns, a Commissioner's Warrant may be issued. The Commissioner's Warrant is executed by law enforcement resulting in the youth being detained. If this is the case, your child will be detained in the juvenile detention center closest to where the youth was picked up or where the youth resides.



Probable Cause Hearing

When youth are detained on a Commissioner's Warrant, a probable cause hearing will be held within five (5) days (excluding weekends and holidays) of the youth being detained.

The purpose of the probable cause hearing is two-fold:

1. To determine whether it is more likely than not that the youth has violated his or her conditions.
2. To determine if there are safety concerns that warrants continued detention.



If probable cause **IS** found to exist, then a revocation hearing will be scheduled.

- If it is found that a safety concern exists, the youth will be detained pending the revocation hearing.
- If it is found that no safety concern exists, the youth will be released from detention pending the revocation hearing in the community.

If probable cause **DOES NOT** exist, then the youth will be released, if he or she was detained, and the revocation process is over for these specific alleged violations. The youth will then return to the community on supervised placement conditions.

Revocation Hearing

At the revocation hearing (whether it be in detention or the community), the hearing officer must determine if the youth has violated one or more conditions of his supervised placement and whether revocation is warranted.

If such a finding is made by the hearing officer, the DJJ Director of Community & Mental Health Services may proceed with issuing the final decision letter advising that the youth's supervised placement has been revoked and he will be referred to Classification for out of home placement.

If there is no such finding of conditions violated or that revocation is not warranted, the youth will remain in the community on conditions of supervised placement.

